

PB# 89-33

FRED NACLERIO

67-5-12 & 13

Approved 6-27-90

General Receipt 10783

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of G. Maceria Aug. 3 19 89
John Plumbing \$ 25.00
Twenty-five and 00 DOLLARS
For Site Plan App. Dec 89-33/10

DISTRIBUTION:

FUND	CODE	AMOUNT
CP#6065		25.00

By Pauline G. Townsend
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt 10785

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of Town Clerk Aug. 3 19 89
Seven Hundred Fifty \$ 750.00
100 DOLLARS
For Planning Board Site Plan #89-33

DISTRIBUTION:

FUND	CODE	AMOUNT
CP#6064		750.00

By William
Comptroller
Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt 11468

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of F. N. Plumbing & Heating June 28 19 90
One Hundred and 00 \$ 100.00
100 DOLLARS
For P/B Site Plan approval 89-33

DISTRIBUTION:

FUND	CODE	AMOUNT
Check #100.00		
#1565		

By Pauline G. Townsend
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

County File No. NW 39 89 M

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of Frederick and Christine Naclerio
for a Site Plan - Frontage and/or Access NYS 94
County Action: Local Determination

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

.....
(Date of Local Action)

.....
(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.



America the Beautiful USA 15

**ORANGE COUNTY DEPARTMENT OF PLANNING
AND DEVELOPMENT**

124 Main Street

Goshen, N.Y. 10924

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/28/90

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW ACCOUNT

FOR PROJECT NUMBER: 89-33

NAME: NACLERIO, FREDERICK & CHRISTINE

APPLICANT: NACLERIO, FREDERICK & CHRISTINE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/03/89	SITE PLAN MINIMUM	PAID		750.00	
06/27/90	ENGINEER FEES	CHG	187.00		
		TOTAL:	187.00	750.00	-563.00

Please issue a check in the
Amount of \$563.00 To:

FREDERICK NACLERIO
408 CARLTON CIRCLE
NEW WINDSOR, NY 12553

Gave to L. Reis 6-27-90 @

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/27/90

PAGE: 1

LISTING OF PLANNING BOARD FEES
MUNICIPAL CHARGES

FOR PROJECT NUMBER: 89-33

NAME: NACLERIO, FREDERICK & CHRISTINE
APPLICANT: NACLERIO, FREDERICK & CHRISTINE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/03/89	APPLICATION FEE	CHG	25.00		
08/03/89	APPLICATION FEE	PAID		25.00	
		TOTAL:	25.00	25.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/27/90

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW ACCOUNT

FOR PROJECT NUMBER: 89-33

NAME: NACLERIO, FREDERICK & CHRISTINE
APPLICANT: NACLERIO, FREDERICK & CHRISTINE

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/03/89	SITE PLAN MINIMUM	PAID		750.00	
06/27/90	ENGINEER FEES	CHG	187.00		
		TOTAL:	187.00	750.00	-563.00

89-33



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

not assigned

TOWN OF New Windsor P/B # -

WORK SESSION DATE: APPLICANT RESUB.
REQUIRED:

REAPPEARANCE AT W/S REQUESTED:

PROJECT NAME: Frank Naderio

COMPLETE APPLICATION ON FILE NEW OLD

REPRESENTATIVE PRESENT:

TOWN REPS PRESENT: BLDG INSP.
FIRE INSP.
P/B ENGR.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 1) Change of use (USE) ←
- 2) Bulk tank -
- 3) area plan
- 4) stamp box
- 5) OK Off Pat to send cert mail
- 6) sewer/water hookup. (well)
- 7) sign detail

need new plan



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12550
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765
(914) 856-5600

MEMORANDUM

TO: MYRA MASON, PLANNING BOARD SECRETARY

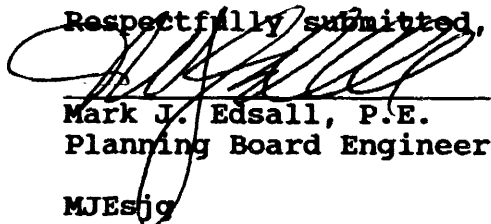
FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

**SUBJECT: NACLERIO SITE PLAN
NEW WINDSOR PLANNING BOARD NO. 89-33**

DATE: 5 JULY 1990

This memorandum shall conform that I have made a review of the subject plan, last revised 4 April 1990. Based on my review, the plan appears to comply with the conditional approval granted by the Planning Board on 25 October 1989.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark J. Edsall', is written over a horizontal line.

Mark J. Edsall, P.E.
Planning Board Engineer

MJEsig

cc: Michael Babcock, Building Inspector
naclerio



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

1763

March 19, 1990

Mr. Frederick Naclerio
408 Carlton Circle
New Windsor, NY 12553

SUBJECT: PLANNING BOARD #89-33 (RT. 94 SITE PLAN)

Dear Mr. Naclerio:

The Town of New Windsor Planning Board granted conditional approval of the above mentioned site plan on October 25, 1989. As of this date, the conditions specified at that meeting have not been met.

Please contact the undersigned at (914) 565-8802 to discuss the above matter.

Very truly yours,

Myra Mason

Myra Mason,
Secretary for the Planning Board

MLM

cc: Mark Edsall, P.E. - P.B. Engineer
Patrick Kennedy, L.S.
P.B. File #89-33

the Board presenting the proposal.

BY MR. SCHIEFER: We have been notified by the County it is local determination.

BY MR. SOUKUP: I think you ought to have this map. This is the one that we had at the field inspection. I believe your notes are on there. This is the plumbing supply place.

BY MR. KENNEDY: That is correct. This was the Aquarium Lounge, and as we discussed last time after the Aquarium Lounge whatever the floor place was moved in there without any change in site plan but moved out right away, so when Naclerio bought it, they were under the impression that they had an approved site plan and then Mike informed them that they didn't and so we have done these modifications. The last time I was here, I had thought that the only thing that we had outstanding was the Orange County Planning Department. Mike also indicates here parking requirements.

BY MR. SOUKUP: No correction of the calculation?

BY MR. KENNEDY: I don't understand, because I thought we

reviewed that last time. Plus we have got three times the amount of paved area that we show in the calculations. If we wanted additional spaces, we have plenty of room to put them. This is all existing paved area now. This was a bar before.

BY MR. LANDER: What is he saying?

BY MR. MCCARVILLE: He is questioning the calculations.

BY MR. SCHIEFER: Mike, do you have any idea what he means by that?

BY MR. BABCOCK: He is saying retail floor area is 560 square feet and then he is saying office area is 500 feet and I guess the rest is what he is calling storage.

BY MR. KENNEDY: Storage of warehousing of the plumbing supplies or whatever you want to call it. He doesn't work there. The retail store area, his wife wants to run a little bath shop type supply thing. He is not, I don't believe he has like Handyman Plumbing, he is not that type of thing. This is storage and he does his work elsewhere.

BY MR. BABCOCK: Where do you come up with office?

BY MR. KENNEDY: For the business, his personal office.

BY MR. SCHIEFER: Didn't we have a bunch of unlicensed cars?

BY MR. SOUKUP: I am not sure there were plates, but they weren't moving.

BY MR. KENNEDY: Cars?

BY MR. SCHIEFER: We were out there visiting, I recall --

BY MR. KENNEDY: I haven't been down in the back of that thing a long time. They are off the parking area but you think they are still on his property?

BY MR. SOUKUP: Right off the edge of the blacktop, definitely on the property.

BY MR. KENNEDY: I don't know if that is just an enforcement problem or what.

BY MR. SOUKUP: Six spaces, half of which look like one was

a trailer.

BY MR. SCHIEFER: There is a question on here, a trailer.

BY MR. SOUKUP: There is a trailer being used for outdoor storage.

BY MR. LANDER: Normally the trucks are probably gone during the day, hopefully they are working. The question you just had so --

BY MR. MCCARVILLE: No parking in the front.

BY MR. KENNEDY: No.

BY MR. MCCARVILLE: Driveway?

BY MR. KENNEDY: Yes, that has never been deep enough for parking. It is not quite 19 feet wide.

BY MR. SCHIEFER: They have got just a little over 19 feet here.

BY MR. BABCOCK: Pat, you are going to be going through the plumber's contractor's office to get to the retail store?

BY MR. KENNEDY: No, there is existing an entrance door here and there is an entrance door here. They exist.

BY MR. SCHIEFER: Where are the doors?

BY MR. KENNEDY: There is the existing entrances. There is one right about in this area and there is one about over in here. The original bar was this area at one time, that was the original entrance and some time ago, back early '80s, they put an addition here and added a second door here for a dining room. That is how those doorways came to be.

BY MR. MCCARVILLE: Septic or sewer here?

BY MR. LANDER: I don't see any problem with this.

BY MR. KENNEDY: Sewer, manhole right here.

BY MR. SCHIEFER: I tend to agree with you.

BY MR. LANDER: We went out and looked at it.

BY MR. SCHIEFER: If the trailer and the unlicensed cars are not yours and they are gotten off, I see no problem.

BY MR. MCCARVILLE: Motion is subject to removal and once they are removed --

BY MR. LANDER: I think that is up to the building inspector.

BY MR. MCCARVILLE: We have a chance to remove them.

BY MR. SCHIEFER: We are considering approving this subject to your approval that the cars are not parked on that property, just want you to be aware of it, unlicensed cars.

BY MR. MCCARVILLE: And trailers.

BY MR. BABCOCK: I think he had a trailer there only to bring in some material, pipe and so on and so forth.

BY MR. KENNEDY: Some of the plumbing supply places that I have seen and they are working on the big projects, they have trailer type units and they may be there between jobs and they are loading it up for the next job.

BY MR. SCHIEFER: There is some kind of trailer there.

BY MR. SOUKUP: That would have a license on it if it is an unlicensed trailer, it should be removed.

BY MR. LANDER: Or transporter plates.

BY MR. MCCARVILLE: I make a motion that we approve.

BY MR. SCHIEFER: I have no argument. Is there any comment on Mark's comments? Public hearing be required on this? I see no reason for it.

BY MR. LANDER: I make a motion that we take lead agency status and declare ourselves lead agency.

BY MR. MCCARVILLE: I will second that.

ROLL CALL:

McCarville: Aye.

Pagano: Aye.

Soukup: Aye.
Lander: Aye.
Schiefer: Aye.

BY MR. MCCARVILLE: I make a motion that we waive the public hearing.

BY MR. RONES: Negative declaration.

BY MR. SOUKUP: I make a motion that this be an unlicensed action and no --

BY MR. SCHIEFER: Declare negative declaration.

BY MR. SOUKUP: So moved.

BY MR. MCCARVILLE: I will second that.

ROLL CALL:

McCarville: Aye.
Pagano: Aye.
Soukup: Aye.
Lander: Aye.
Schiefer: Aye.

BY MR. MCCARVILLE: I make a motion that we waive the public hearing.

BY MR. LANDER: I will second it.

ROLL CALL:

McCarville: Aye.
Pagano: Aye.
Soukup: Aye.
Lander: Aye.
Schiefer: Aye.

BY MR. MCCARVILLE: I make a motion we approve the Fred Naclerio site plan subject to the removal of unregistered vehicles and trailers as confirmed and when confirmed by the building inspector, Mr. Babcock.

BY MR. PAGANO: One quick question, lights, where are you going to put lights?

BY MR. KENNEDY: They are existing there.

BY MR. PAGANO: You have nothing there?

BY MR. KENNEDY: There may be something off the building. I really don't remember how it is lighted. There is no freestanding lights out there.

BY MR. PAGANO: Mike, does he need lights for the parking lot?

BY MR. SOUKUP: Subject to correction of the parking calculation.

BY MR. KENNEDY: There is probably lighting off the building because it was an existing public place.

BY MR. PAGANO: Do we have to show where he is going to put lights?

BY MR. SOUKUP: It is existing, really I didn't look. There is no new parking, no new building. It is a new, just in a similar style building, a new tenant. It is kind of --

BY MR. LANDER: It is a lesser use.

BY MR. SOUKUP: If there were a new building, expansion, but everything is there.

BY MR. PAGANO: Okay, fine.

BY MR. MCCARVILLE: I make a motion that we approve the site plan subject to the correction of the calculations on the plan and the removal of the vehicles, as I stated earlier, unlicensed vehicles.

BY MR. LANDER: I will second it.

ROLL CALL:

McCarville: Aye.
Pagano: Aye.
Soukup: Aye.
Lander: Aye.
Schiefer: Aye.

BY MR. BABCOCK: Did we make it clear what the calculation change was on the parking?

OCT 25 1989

28

BY MR. SCHIEFER: He's supposed to recalculate. We don't know what it is. If there is any disagreement on your part or Mr. Edsall's, you know, don't sign it. That is it.

BY MR. BABCOCK: Okay.

	Initials	Date
Prepared By		
Approved By		

89 - 33

Naderio, Fred & Christine

Site Plan

		1		2		3		4	
Date		Description		Received		Disbursed		Balance To Date	
1	2 3	CK# 6064		750.00				750.00	
2									
3									
4									
5									
6									
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17									

NACLERIO SITE PLAN (89-33) ROUTE 94

Mr. Patrick Kennedy came before the Board representing this proposal.

Mr. Kennedy: Those are still the same plans. Again, this is an existing site, existing building, existing paved parking area. They are proposing a change of use in the structure, I believe the only comments we had open there last time again we are waiting to hear from Orange County Planning. We are still waiting unless you have something and you guys were going to go out and take a look at it.

Mr. VanLeeuwen: This is Naclerio?

Mr. Kennedy: Yes, this is where the old Aquarium Lounge used to be, the guy has his plumbing business in there.

Mr. Pagano: You don't show the junk cars on here, locations of that.

Mr. McCarville: The six spaces, is this going to be blacktopped.

Mr. Kennedy: This is all blacktopped into here now, this is what we need to meet, we have got alot of parking that pre-exists there because you had all the requirements for the bar before.

Mr. VanLeeuwen: We all went and looked. I don't see any problem. I make a motion to approve the Naclerio Site Plan (89-33).

Mr. Kennedy: We have to wait for County Planning.

Mr. VanLeeuwen: If you had that with you--

Mr. Rones: If it is over 30 days.

Mr. Kennedy: It is not in the file. I don't know what she did with it.

Mr. Schiefer: Then, we are waiting for that. We will put it on the next agenda.

Mr. VanLeeuwen: I will withdraw my motion.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
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New Windsor, New York 12550
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Naclerio Site Plan
PROJECT LOCATION: Route 94 (south side)
PROJECT NUMBER: 89-33
DATE: 25 October 1989
DESCRIPTION: The Applicants have submitted a plan for a combination office/storage and retail sales use of an existing structure on Route 94. The plan was previously reviewed at the 23 August 1989 and 26 September 1989 Planning Board meetings.

1. To my understanding, the only outstanding items for this application are the following:
 - a. Correction of the parking requirements calculation on the plan.
 - b. A response from the Orange County Department of Planning.

The Board should note that the Planning Department, on 10 October 1989, returned this application for local determination.

2. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
3. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
4. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Naclerio Site Plan
PROJECT LOCATION: Route 94 (south side)
PROJECT NUMBER: 89-33
DATE: 25 October 1989

-2-

5. Other than the procedural actions needed above and the correction of the parking calculation prior to stamping of the plan, I am aware of no reason why this plan could not receive approval, from an engineering standpoint.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEsjg

naclerio

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, REDACTED, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Pat Kennedy for the building or subdivision of
_____ has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

John P. Egan
SANITARY SUPERINTENDENT

8-11-89

DATE

Please return this review to Myra at the building Dept.

CC:ME.



Louis Holmbeck
County Executive

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by TOWN OF NEW WINDSOR PLANNING BOARD D P & D Reference No. NWT 39-89M
C/O PATRICK T. KENNEDY, L.S. County I.D. No. 67 1 5 112 AND 13
Applicant FREDERICK AND CHRISTINE NACLERIO
Proposed Action: SITE PLAN
State, County, Inter-Municipal Basis for 239 Review FRONTAGE AND REAR ACCESS N.Y.S. 94

Comments:

Related Reviews and Permits N.Y.S. DEPT. OF TRANS.

County Action: Local Determination ☒ Disapproved ☐ Approved ☐

Approved subject to the following modifications and/or conditions:

OCTOBER 10, 1989

Date

CC: M.E.

OCT 16 1989

Peter Garrison
Commissioner

Mr. Patrick Kennedy came before the Board representing this proposal.

Mr. Kennedy: This is on the south side of Route 94. It was the old Aquarium Lounge and has been several things over the years. When the lounge got shutdown, then a floor place moved in.

Mr. VanLeeuwen: Now there is a plumber there.

Mr. Kennedy: The hardwood floor place went in with the change of use or site plan approval. Mr. Naclerio bought under the assumption that he had approval for the use and he moved in there to operate his business and then Mike tells him you don't have any kind of site plan approval, never did get a change of use approval so this is what he is looking for now.

Mr. McCarville: Is someone living in that dwelling?

Mr. Kennedy: There is nothing, just a commercial structure, that is all.

Mr. McCarville: No one is living in it?

Mr. Kennedy: No. He has his plumbing supplies, his plumbing business operating out of there and he wants to have a little small space up front here. That is going to be bathroom things so that small space will basically be retail sales and the rest of it will be his plumbing supplies.

Mr. VanLeeuwen: It is an existing building?

Mr. Kennedy: It is just a change of use. Parking, we are required to have 7 parking spaces for the use. We are providing 10, actually we have more than three times the amount of paved area that exists now. We outlined 10 spaces but we have, well, more than enough paved parking area.

Mr. VanLeeuwen: We have to have the public hearing on this change of use?

Mr. McCarville: You don't need it for a change of use.

Mr. Kennedy: This is a site plan due to a change of use.

Mr. Edsall: Discretionary for the public hearing.

Mr. Pagano: What is all the vacant land?

Mr. Kennedy: This is basically just tall grass, trees and so on.

Mr. Pagano: It is like overgrown. Will the applicant have any, you know, opportunity maybe to clean it up a little bit?

Mr. Kennedy: I suppose.

Mr. McCarville: Where is the utility line? I see it goes back there but where does it go to?

Mr. Kennedy: The pole dead ends there. There was an old ruins of a foundation. I don't know if there was ever anything else back there. I believe when the Aquarium had it at one time, they used to have outdoor barbeques. I don't know if they ran lights. We are talking years ago.

Mr. McCarville: I think we ought to put this on a walking tour.

Mr. Schiefer: Is there power in that overhead line?

Mr. Kennedy: As far as I know.

Mr. VanLeeuwen: I agree, I think we ought to go look at it.

Mr. Schiefer: Do we want to assume lead agency?

Mr. VanLeeuwen: I don't think we should start that.

Mr. McCarville: Let's take a look at it.

Mr. Babcock: It is within 500 feet of the Town of Cornwall property line.

Mr. Schiefer: 25 feet from the Town of Cornwall?

Mr. VanLeeuwen: It has got to go to them.

Mr. Edsall: Just has to go to the County.

Mr. VanLeeuwen: Okay.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
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RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

PROJECT NAME: Naclerio Site Plan
PROJECT LOCATION: Route 94 (south side)
PROJECT NUMBER: 89-33
DATE: 23 August 1989
DESCRIPTION: The Applicants have submitted a plan for a combination office/storage and retail sales use of an existing structure on Route 94.

1. The plan includes a Plumbing Contractors office and storage area, which is indicated as being submitted as Use A-10 of the "NC" zone. The Planning Board should verify, for the record, that they consider such use a "service establishment furnishing services other than of a personal nature".
2. Based upon the use classifications being deemed appropriate by the Planning Board, the plan as submitted appears to comply with the minimum bulk requirements for the use and zone, with the exception of front yard setback, which is an existing condition.
3. The plan appears to have sufficient parking provided. The "parking requirements" calculation shown on the plan should be corrected to indicate the requirement of one space per 200 square feet for office areas, not one per 150 square feet. In addition, the Board should note that the Applicant has only indicated a 500 square foot office area for the contractor use.
4. The Board should verify with the Building Inspector that the proposed sign conforms to the requirements of the NC zone.
5. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Naclerio Site Plan
PROJECT LOCATION: Route 94 (south side)
PROJECT NUMBER: 89-33
DATE: 23 August 1989

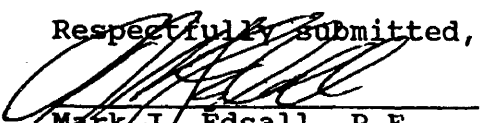
-2-

6. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

7. Submittal of this plan/application to the Orange County Planning Department and New York State Department of Transportation will be required.

8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje

nac

FILE HISTORY

DATE FILE OPENED: 8-3-89

PLANNING BOARD NUMBER 89-33

COPY OF PLANS GIVEN TO:

DATE

DATE RETURNED

MARK EDSALL
FIRE INSPECTOR
WATER DEPARTMENT
HIGHWAY DEPARTMENT
Sewer

8-3-89
8-3-89
8-3-89
8-3-89
8-3-89

8/4/89 *Approved*
8/4/89 *Approved*

REVISED PLANS:

MARK EDSALL
FIRE INSPECTOR
WATER DEPARTMENT
HIGHWAY DEPARTMENT

AGENDA DATE:

RESULTS:

FEES:

DATE & AMOUNT PAID

Application

8/3/89 25.00

Deposit

8/3/89 750.00

DATE PLANS APPROVED AND STAMPED BY TOWN OF NEW WINDSOR: _____

DATE PLANS PICKED UP BY APPLICANT: _____

NOTES: _____

INTER OFFICE CORRESPONDENCE

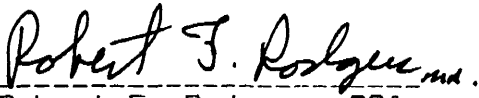
TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 3 August 1989
SUBJECT: Naclerio Site Plan

Planning Board Reference Number: PB-89-33
Dated: 19 July 1989

Fire Prevention Reference Number: FPS-89-069

A review of the above referenced site plan was made this date and is found acceptable.

Plan Dated: 24 April 1987.


Robert F. Rodgers, CCA
Fire Inspector

RR:mr
Att.

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,
D.O.T., O.C.H., O.C.P., D.P.W., REDACTED, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Patrick T. Kennedy for the building or subdivision of

Frederick & Christine Naclexio has been

reviewed by me and is approved ☒ _____,

~~disapproved~~ _____.

~~If disapproved, please list reason~~ _____

There is no town water in this area.

HIGHWAY SUPERINTENDENT

Steve [Signature]
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

OK assigned 8/2/89
not assigned

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B # -
WORK SESSION DATE: APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: REQUIRED:
PROJECT NAME: Frank Naderis
COMPLETE APPLICATION ON FILE NEW OLD
REPRESENTATIVE PRESENT:
TOWN REPS PRESENT: BLDG INSP.
FIRE INSP.
P/B ENGR.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 1) Change of use (USE) ←
- 2) Bulk tank
- 3) area plan
- 4) stamp box
- 5) OK off Pat to send cert mail
- 6) sewer/water hookup. (well)
- 7) sign detail

need new plan

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project Survey and Site Plan for Frederick Naclerio & Christine Naclerio
2. Name of Applicant Frederick Naclerio Phone 561-7150
Address 408 Carlton Cir., New Windsor N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record Same Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan Patrick T. Kennedy Phone 562-6444
Address 219 Quassaick Ave. New Windsor N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting Patrick T. Kennedy, L.S. Phone 562-6444
(Name)
7. Location: On the South side of N.Y.S. Rte 94
(Street)
120 feet EAST
(Direction)
of Palamine Rd
(Street)
8. Acreage of Parcel 31, 36 3 S.F 9. Zoning District N.C.
10. Tax Map Designation: Section 67 Block 5 Lot 12 & 13
11. This application is for Change of use of existing Commercial Site - No new structures are proposed

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No.

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) None

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

FREDERICK NACLERIO being duly sworn, deposes and says that he resides at 408 CARTON CIR, New Windsor in the County of ORANGE and State of NEW YORK and that he is (the owner in fee) of _____

(Official Title)

of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

18th day of July 1989
Gail F. Epstein
Notary Public

Fredrick Naclerio
(Owner's Signature)

Fredrick Naclerio
(Applicant's Signature)

Owner
(Title)

PROJECT I.D. NUMBER

617.21

89 - 33
SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <i>Frederick & Christine Naclerio</i>	2. PROJECT NAME <i>Survey & Site Plan for Frederick Naclerio & Christine Naclerio</i>
3. PROJECT LOCATION: Municipality <i>Town of New Windsor</i> County <i>Orange</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>South side of N.Y.S. Rte 94, 120' East of Palamino Rd.</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Site Plan for change of use on existing Commercial site. No New Buildings or Additions or expansion of existing paved parking areas are proposed</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>0.72</i> acres Ultimately <i>0.72</i> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Patrick J. Kennedy, US</i>	Date: <i>7/14/89</i>
Signature: <i>[Signature]</i>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly. C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly. D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from responsible officer)
_____ Date	

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Frederick Naclerio, deposes and says that he
resides at 408 Carlton Circle, New Windsor
(Owner's Address)

in the County of Orange

and State of New York

and that he is the owner in fee of Tax Map Sect. 67, Block 5
lots 12 & 13

which is the premises described in the foregoing application and
that he has authorized Patrick T. Kennedy, L.S.
to make the foregoing application as described therein.

Date: 7/18/89

Frederick Naclerio
(Owner's Signature)

David F. Costello
(Witness' Signature)

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input checked="" type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input checked="" type="checkbox"/> Curbing Through |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | Section |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 31. <input checked="" type="checkbox"/> Catch Basin Locations |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 32. <input checked="" type="checkbox"/> Catch Basin Through |
| 6. <input checked="" type="checkbox"/> Drawing Date | Section |
| 7. <input checked="" type="checkbox"/> Revision Dates | 33. <input checked="" type="checkbox"/> Storm Drainage |
| | 34. <input checked="" type="checkbox"/> Refuse Storage |
| 8. <input checked="" type="checkbox"/> AREA MAP INSET | 35. <input checked="" type="checkbox"/> Other Outdoor Storage |
| 9. <input checked="" type="checkbox"/> Site Designation | 36. <input checked="" type="checkbox"/> Water Supply |
| 10. <input checked="" type="checkbox"/> Properties Within 500 Feet | 37. <input checked="" type="checkbox"/> Sanitary Disposal Sys. |
| of Site | |
| 11. <input checked="" type="checkbox"/> Property Owners (Item #10) | 38. <input checked="" type="checkbox"/> Fire Hydrants |
| 12. <input checked="" type="checkbox"/> PLOT PLAN | 39. <input checked="" type="checkbox"/> Building Locations |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 40. <input checked="" type="checkbox"/> Building Setbacks |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 41. <input checked="" type="checkbox"/> Front Building |
| 15. <input checked="" type="checkbox"/> Zoning Designation | Elevations |
| 16. <input checked="" type="checkbox"/> North Arrow | 42. <input checked="" type="checkbox"/> Divisions of Occupancy |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 43. <input checked="" type="checkbox"/> Sign Details |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 44. <input checked="" type="checkbox"/> BULK TABLE INSET |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 45. <input checked="" type="checkbox"/> Property Area (Nearest |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 100 sq. ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 46. <input checked="" type="checkbox"/> Building Coverage (sq. |
| | ft.) |
| <u>PROPOSED IMPROVEMENTS</u> | 47. <input checked="" type="checkbox"/> Building Coverage (% |
| 22. <input checked="" type="checkbox"/> Landscaping | of Total Area) |
| 23. <input checked="" type="checkbox"/> Exterior Lighting | 48. <input checked="" type="checkbox"/> Pavement Coverage (Sq. |
| 24. <input checked="" type="checkbox"/> Screening | Ft.) |
| 25. <input checked="" type="checkbox"/> Access & Egress | 49. <input checked="" type="checkbox"/> Pavement Coverage (% |
| 26. <input checked="" type="checkbox"/> Parking Areas | of Total Area) |
| 27. <input checked="" type="checkbox"/> Loading Areas | 50. <input checked="" type="checkbox"/> Open Space (Sq. Ft.) |
| 28. <input checked="" type="checkbox"/> Paving Details | 51. <input checked="" type="checkbox"/> Open Space (% of Total |
| (Items 25-27) | Area) |
| | 52. <input checked="" type="checkbox"/> No. of Parking Spaces |
| | Proposed. |
| | 53. <input checked="" type="checkbox"/> No. of Parking |
| | Required. |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 

Licensed Professional

Date: 7/14/89

P.B. #89-33



561-7150
**FN PLUMBING HEATING
MECHANICAL CONSTRUCTION CO., INC.**
408 CARLTON CIRCLE
NEW WINDSOR, NY 12550

6064

50-693/219 33

7-18 1989

PAY
TO THE
ORDER OF

Town of New Windsor

\$ 750.00

THE SUM 750 DOLS 00 CTS

DOLLARS



Key Bank of Southeastern New York N.A.
Broadway Office
78 Broadway, Newburgh, N.Y. 12550

FOR

Fredrick J. Proctor

⑈006064⑈ ⑆021906934⑆ 33⑈115544⑈

P.B. #89-33 Application Fee



561-7150
**FN PLUMBING HEATING
MECHANICAL CONSTRUCTION CO., INC.**
408 CARLTON CIRCLE
NEW WINDSOR, NY 12550

6065

50-693/219 33

7-18 1989

PAY
TO THE
ORDER OF

Town of New Windsor

\$ 25.00

THE SUM 25 DOLS 00 CTS

DOLLARS

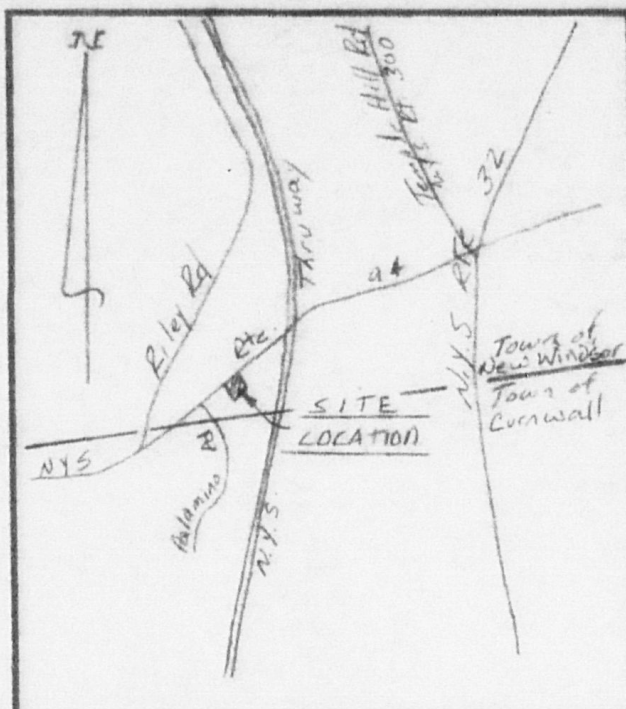


Key Bank of Southeastern New York N.A.
Broadway Office
78 Broadway, Newburgh, N.Y. 12550

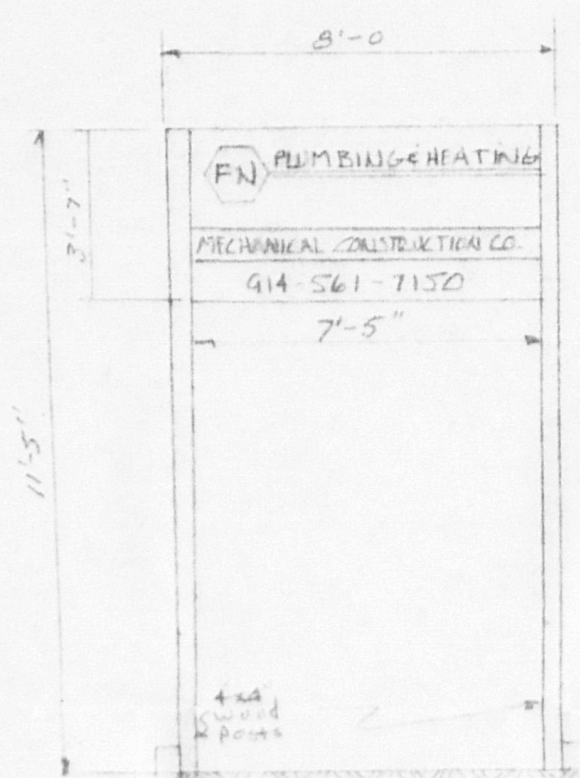
FOR

Fredrick J. Proctor

⑈006065⑈ ⑆021906934⑆ 33⑈115544⑈



LOCATION MAP
SCALE: 1" = 2,000'



EXISTING SIGN DETAIL
SCALE 1/4" = 1'

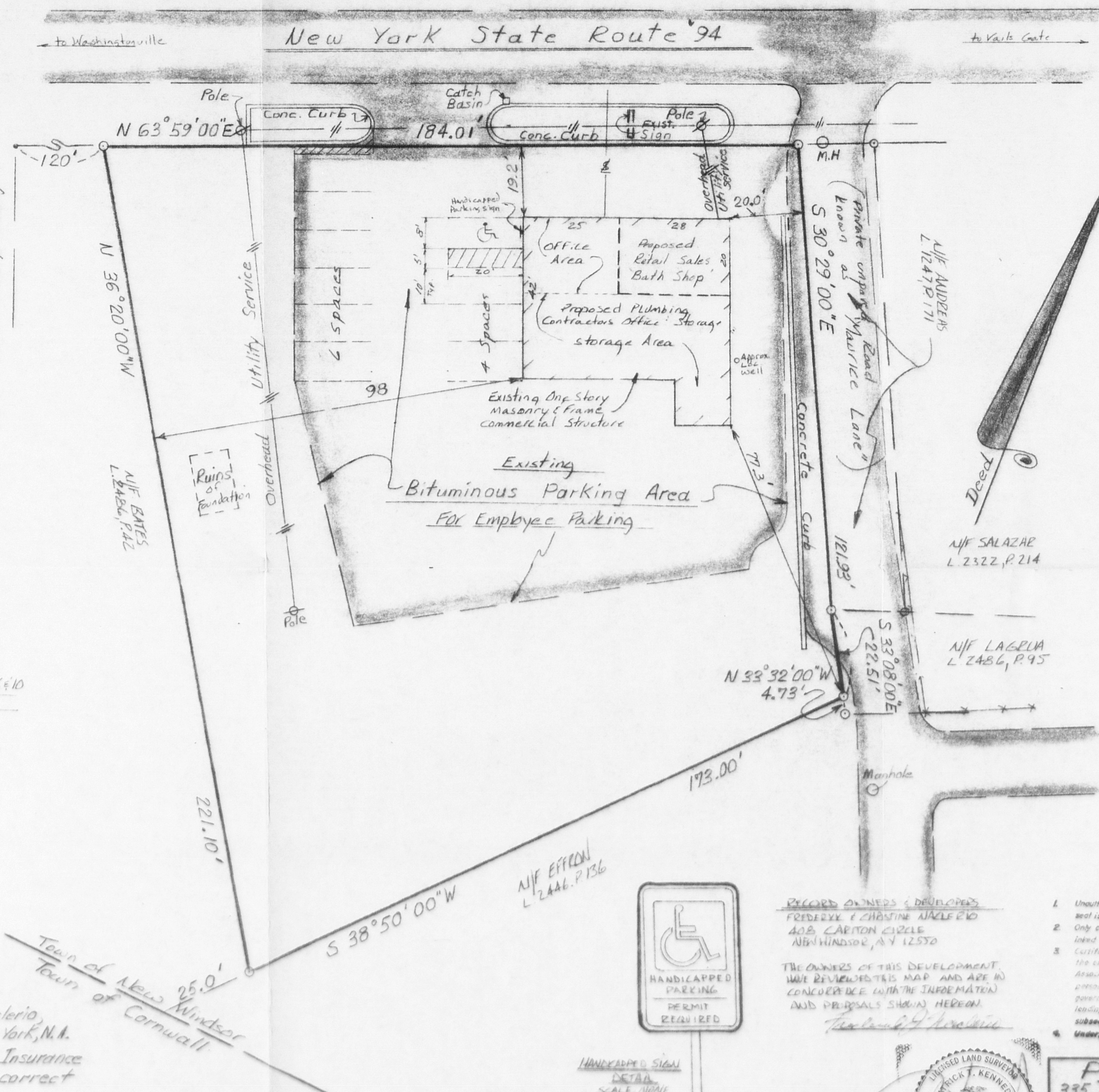
TOTAL SIGN FACE - BOTH SIDES = 531 S.F.

ZONING DISTRICT: N.C. - C.O.L.A. - 6 & 10

MINIMUM REQUIRED	PROPOSED
LOT AREA: 10,000 S.F.	31,363 S.F.
LOT WIDTH: 100'	181'
FRONT YARD: 40'	19.2' EXISTING
SIDE YARD: 15/35'	20' / 110'
REAR YARD: 15'	77.3'
ST. FRONTAGE: N/A	
MAX BLDG. HT: 35'	20' EXISTING
FL. AREA RATIO: 1	0.08
LN. FL. AREA: N/A	
DEVL. COVERAGE: N/A	

To Frederick Naclerio, Christine Naclerio,
Key Bank of Southeastern New York, N.A.
and National Attorneys Title Insurance
Company, certified to be a correct
and accurate survey.

Dated: April 24, 1987



HANDICAPPED SIGN
DETAIL
SCALE: NONE

RECORD OWNERS & DEVELOPERS
FREDERICK & CHRISTINE NACLERIO
408 CARTON CIRCLE
NEW WINDSOR, NY 12550

THE OWNERS OF THIS DEVELOPMENT
HAVE REVIEWED THIS MAP AND ARE IN
CONCORDANCE WITH THE INFORMATION
AND PROPOSALS SHOWN HEREON.



1. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2 of the N.Y. State Education Law.
2. Only copies from the original of this survey marked with original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies.
3. Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owner.
4. Underground improvements or encroachments, if any, are not shown hereon.

Patrick T. Kennedy L.S.
335 Temple Hill Road • New Windsor, New York 12550

SCALE: 1" = 20' APPROVED BY: DRAWN BY:
DATE: April 24, 1987 REVISED: April 6, 1990

SURVEY & SITE PLAN FOR
Frederick Naclerio & Christine Naclerio
Town of New Windsor
Orange County, New York
DRAWING NUMBER: 87-723

Tax Map Data:
Section: 67
Block: 5
Lots: 12 & 13

Deed Reference:
Liber 2071, Page 63

Map Reference:
"Subdivision of Lands
of Mrs. Frank Maurice"
dated: May 1948
filed: Jan. 28, 1952
Map #1493

Parking Requirements:
Use - Retail Sales
Required: 1 space per 150 S.F.
of Retail Sales Floor
Area & Office Space
Retail Floor Area = 560 S.F.
Office Floor Area = 500 S.F.
1060 S.F.
PARKING REQUIRED = 7 SPACES
PARKING PROPOSED = 10 SPACES

PLANNING BOARD APPROVAL BLOCK
SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON: June 27, 1990
BY: Daniel C. McCarville
DANIEL C. MCCARVILLE
SECRETARY

(Refer to 85-294)